

JOURNAL OF THE HOUSE.

Wednesday, September 25, 2013.

Met according to adjournment at a quarter before twelve o'clock noon, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Resignation of Representative Winslow of Norfolk.

The following communication was read; and spread upon the records of the House, as follows:

September 16, 2013.

Steven T. James
Clerk of the House of Representatives
 State House, Room 145
 Boston, MA 02133

Dear Mr. Clerk,

With deep regret, I ask that you please accept this letter as notice of my resignation from the Massachusetts House of Representatives, effective at 12:00 noon on September 29, 2013. Resignation of Representative Daniel B. Winslow of Norfolk.

Effective Monday, September 30, I will return to the private sector on a full-time basis as the Senior Vice President & General Counsel of Rimini Street, Inc. ("RSI") working in the company's Operations Center in San Francisco's East Bay. I am informed that RSI does not currently have any business transactions with the Commonwealth of Massachusetts or its political subdivisions, but I will recuse myself from any legislative matters involving RSI in the unlikely event any arise before the effective date of my resignation.

By copy of this letter, I wish to convey my sincere thanks to the Speaker and my Leader for their many kindnesses during my service. I hope that my actions and ideas as a Representative have brought honor to the House. I will miss every one of my colleagues and wish them all well in the efforts.

Special thanks to you, Mr. Clerk, your able staff, the court officers and House staff for making my service as productive and enjoyable as possible. I have loved every minute of the honor of service as Representative of the people of the 9th Norfolk. I will maintain my legal residence in Massachusetts, where my family has lived since 1620, so I hope that our paths cross in public service in the future.

Respectfully,

DANIEL B. WINSLOW,
State Representative.

Valedictory Address.

Valedictory address.

Subsequently (the Speaker having been in the Chair), Mr. Winslow addressed the House, there being no objection, regarding his departure from service in the House of Representatives.

Special Communications.

The Speaker being in the Chair,—

The following communications, together with returns of votes and schedules therein referred to, were received from the Secretary of the Commonwealth, to wit:—

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE SECRETARY
STATE HOUSE, BOSTON 02133

September 25, 2013.

To the Honorable House of Representatives:

Returns of votes for Representative in the Sixth Bristol District.

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the tenth day of September, 2013, for Representative in the General Court, 6th Bristol District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE SECRETARY
STATE HOUSE, BOSTON 02133

September 25, 2013.

To the Honorable House of Representatives:

Returns of votes for Representative in the Twelfth Suffolk District.

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the tenth day of September, 2013, for Representative in the General Court, 12th Suffolk District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE SECRETARY
STATE HOUSE, BOSTON 02133

September 25, 2013.

To the Honorable House of Representatives:

I have the honor to lay before you the returns of votes cast at the special election held in this Commonwealth on the tenth day of September, 2013, for Representative in the General Court, 16th Worcester District, together with schedules showing the number of ballots which appear to have been cast for each person voted for.

Returns of votes for Representative in the Sixteenth Worcester District.

These returns have been duly canvassed by the Governor and Council, and are now transmitted for examination by the House of Representatives, as required by the Constitution.

Very truly yours,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

The communications severally were read; and, there being no objection, they were placed on file.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That a special committee of the House be appointed to wait upon His Excellency the Governor and inform him that Representatives-elect Dan Cullinane of the 12th Suffolk District, Daniel M. Donahue of the 16th Worcester District and Carole A. Fiola of the 6th Bristol District are assembled in the Chamber of the House of Representatives and are ready to take the oaths and affirmations of qualification.

Governor notified.

The Speaker then appointed Representatives Walsh of Boston, Haddad of Somerset, Poirier of North Attleborough, Matewsky of Everett, Orrall of Lakeville, Nyman of Hanover, Collins of Boston, Henriquez of Boston, Cronin of Easton, Koczera of Fall River, Winslow of Norfolk, Timilty of Milton and Peterson of Grafton as the special committee of the House.

Subsequently Mr. Walsh of Boston, for the committee, reported that they had attended to the duties assigned to them, and that the Governor had stated that he would attend forthwith and administer the oaths of office.

Distinguished Guests.

The Speaker announced that in attendance during the session were many distinguished guests, including Treasurer and Receiver-General Steven Grossman, Senators Chandler, Fory and Rodrigues, Suffolk County Sheriff Steven Tompkins and Worcester Mayor Joseph M. Petty.

Distinguished guests.

Members Qualified.

Soon afterward His Excellency the Governor, Deval L. Patrick, accompanied by Auditor Suzanne M. Bump and members of the Honorable Council came in; the oaths and affirmation required by the Constitution and laws was administered by the Governor to the members-elect

Representatives Dan Cullinane of Boston, Daniel M. Donahue of Worcester and

Carole A. Fiola of Fall River,— qualification.

then present, and were subscribed by them; after which His Excellency declared that the members were duly qualified to enter upon the discharge of their duties.

His Excellency the Governor, Auditor Suzanne M. Bump and the Honorable Councillors present then departed the Chamber under escort of the Sergeant-at-Arms.

After brief remarks by each of the newly qualified members, the Speaker assigned Mr. Cullinane to Seat No. 152, Mr. Donahue to Seat No. 19 and Ms. Fiola to Seat No. 125.

Statement Concerning Representative Fennell of Lynn.

A statement of Mr. Mariano of Quincy concerning Mr. Fennell of Lynn was spread upon the records of the House, as follows:

Statement concerning Mr. Fennell of Lynn.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Fennell of Lynn, was unable to be present in the House Chamber for today's sitting due to a previously scheduled personal obligation. Had he been present he would have voted in the affirmative on roll call numbered 227, on passing to be engrossed the House Bill repealing the computer and software services taxes (House, No. 3662). His missing of roll calls today is due entirely to the reason stated.

Statement Concerning Representative Pignatelli of Lenox.

A statement of Mr. Mariano of Quincy concerning Mr. Pignatelli of Lenox was spread upon the records of the House, as follows:

Statement concerning Mr. Pignatelli of Lenox.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Pignatelli of Lenox, was unable to be present in the House Chamber for today's sitting because he is on official business outside the Commonwealth attending the first ever Jobs Summit of the National Conference of State Legislators in Austin, Texas. Had he been present he would have voted in the affirmative on roll call numbered 227, on passing to be engrossed the House Bill repealing the computer and software services taxes (House, No. 3662). His missing of roll calls today is due entirely to the reason stated.

Resolutions.

Seth Fancher Memorial Bench.

Resolutions (filed with the Clerk by Mr. Durant of Spencer) on the occasion of the dedication of the Seth Fancher Memorial Bench at Howe State Park in the town of Spencer, were referred, under Rule 85, to the committee on Rules.

Mr. Binienda of Worcester, for the committee on Rules, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Durant, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petition.

Millie Santana,— sick leave.

Mr. Vega of Holyoke presented a petition (subject to Joint Rule 12) of Aaron Vega for legislation to establish a sick leave bank for Millie Santana, an employee of the Department of Transitional Assistance; and the same was referred, under Rule 24, to the committee on Rules.

Papers from the Senate.

A Bill relative to the board of selectmen of the town of Groveland (Senate, No. 1799) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Groveland,—
selectmen.

So much of the recommendations of the Special Commission established (under the provisions of section 22 of Chapter 61 of the Acts of 2009, as amended by section 27 of Chapter 36 of the Acts of 2013) relative to the reorganization or consolidation of sheriff's offices as relates to reform sheriff civil process operations (Senate, No. 1865, Appendix I), was referred, in concurrence, to the committee on Public Safety and Homeland Security. Sheriff civil
process
operations.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition of Steven S. Howitt relative to the sewage disposal system inspection process. To the committee on Environment, Natural Resources and Agriculture. Sewage
systems.

Petition of Thomas M. Stanley, Michael Barrett and John J. Lawn, Jr., for legislation to establish a sick leave bank for Robert K. Barry, an employee of the Executive Office of Health and Human Services. To the committee on Public Service. Robert K.
Barry,—
sick leave.

Petition of Ruth B. Balsler and others (with the approval of the mayor and board of aldermen) for legislation to authorize the Commissioner of Capital Asset Management and Maintenance to convey certain land to the city of Newton. To the committee on State Administration and Regulatory Oversight. Newton,—
land.

Under suspension of the rules, on motion of Ms. Balsler of Newton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Jeanette Cruz, an employee of the Department of Unemployment Assistance (see Senate, No. 1852, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble. Jeanette
Cruz,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 11 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

The engrossed Bill designating a certain traffic island in the town of Hingham as the Sergeant Boris Demko Memorial Island (see House, No. 3021) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate. Bill
enacted.

Recess.

Recess.

At sixteen minutes before one o'clock P.M., the Speaker declared a recess subject to the call of the Chair; and at twenty-nine minutes after two o'clock, the House was called to order with Mr. Donato of Medford in the Chair.

Reports of Committees.

Computer
and
software
services
tax,—
repeal.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 3567, reported, in part, a Bill repealing the computer and software services tax (House, No. 3662). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently (Mrs. Haddad of Somerset being in the Chair), under further suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question of passing the bill to be engrossed, Mr. Diehl of Whitman move to amend it adding the following section:

“SECTION 1. Notwithstanding any general or special law to the contrary, the commissioner of revenue shall establish a tax amnesty program during which all penalties that could be assessed by the commissioner shall be waived without the need for any showing by the taxpayer of reasonable cause or the absence of willful neglect for the failure of the taxpayer to: (i) timely file any proper return for any tax type and for any tax period; (ii) file proper returns which report the full amount of the taxpayer's liability for any tax type and for any tax period; (iii) timely pay any tax liability; or (iv) pay the proper amount of any required estimated payment toward a tax liability. The waiver of a taxpayer's liability under this section shall apply if the taxpayer files returns, makes payments as required by the commissioner or otherwise comes into compliance with the tax laws of the commonwealth as required by the commissioner pursuant to the tax amnesty program. The scope of the program, including the particular tax types and periods covered, including any limited look-back period for unfiled returns, shall be determined by the commissioner; provided, however, the commissioner shall include, but not be limited to, the following tax types within the scope: sales and use tax, sales tax on telecommunications services, meals tax, meals tax local option, materialman sales tax, withholding income, performer withholding, pass-through entity withholding, lottery annuity withholding, room occupancy excise, room occupancy excise local option, convention center financing fees on room occupancy in Boston, Cambridge, Chicopee, Springfield, West Springfield, and Worcester, convention center financing surcharge for sightseeing tours, convention center financing surcharge on vehicle rentals in Boston, convention center financing surcharge on parking in Boston, Springfield, and Worcester, deeds excise, cigarette excise, cigars and smoking tobacco excise, club alcohol beverage excise, gasoline excise, special fuels excise, special fuels excise local option, and boat and recreational vehicles sales tax.

The amnesty program shall be established for 2 consecutive months within fiscal year 2014 to be determined by the commissioner, such period to expire not later than June 30, 2014, and all required payments shall be made on or before June 30, 2014, in order for the amnesty to apply. If a taxpayer fails to pay the full liability before June 30, 2014, the commissioner shall retain any payments made and shall apply those payments against the outstanding liability, and the provisions of the tax amnesty program, other than the additional penalty authorized by section 2, shall not apply.

The commissioner's authority to waive penalties during the amnesty period shall not apply to any taxpayer who, before the start date of the amnesty program selected by the commissioner, was the subject of a tax-related criminal investigation or prosecution. The amnesty program shall not authorize the waiver of interest or any amount treated as interest. The commissioner may offer tax amnesty to those taxpayers who have either an unpaid self-assessed liability or who have been assessed a tax liability, whether before or after the filing of a return, which assessed liability remains unpaid.

To the extent that a taxpayer within the scope of the amnesty program as determined by the commissioner and wishing to participate in the amnesty program has postponed the payment of an assessment of tax, interest and penalty under the authority of subsection (e) of section 32 of chapter 62C of the General Laws, the taxpayer shall waive in writing all rights under said subsection (e) of said section 32 of said chapter 62C further delay the payment of the tax and interest portions of the assessment. The tax and interest portions of the assessment shall be payable in full from the date of the commissioner's notice of assessment. Upon payment by the taxpayer of the tax and interest of the outstanding assessment, the commissioner shall waive all penalties associated with that assessment. The taxpayer and the commissioner shall then proceed with all administrative appeal rights that the taxpayer wishes to pursue with respect to the assessment.

Amnesty shall not apply to those penalties which the commissioner would not have the sole authority to waive including, but not limited to, fuel taxes administered under the International Fuel Tax Agreement or under the local option portions of taxes or excises collected for the benefit of cities, towns or state governmental authorities.

The commissioner shall maintain records of the amnesty provided under this section including, but not limited to: (i) the number of taxpayers provided with amnesty; (ii) the types of tax liability for which amnesty was provided and, for each type of liability, the amount of tax liability collected and the amount of penalties foregone by virtue of the amnesty program; and (iii) the total outstanding tax liability for amnesty-eligible taxpayers at the conclusion of the tax amnesty program after the collection of all funds under this section. The commissioner shall file a report detailing such information with the clerks of the house of representatives and the senate, the joint committee on revenue, the house and senate committees on ways and means, the minority leader of the house and the minority leader of the senate not later than September 1, 2014; provided, however, that such report shall not contain information sufficient to identify an individual taxpayer or the amnesty that an individual taxpayer was provided under this section.

Computer
and
software
services
tax,—
repeal.

A taxpayer who is eligible for the amnesty program based upon the criteria established by the commissioner and who fails to come forward under the tax amnesty program and make payments before June 30, 2014 shall, in addition to all other penalties provided by chapter 62C of the General Laws, be subject to an additional penalty not to exceed \$500 per taxpayer, which shall be calculated and assessed according to rules determined by the commissioner and which may be subject to de minimis or other exceptions that the commissioner may consider appropriate. This penalty shall be subject to said chapter 62C and shall be added to and become part of the tax due. The commissioner may waive the penalty provided by this subsection for reasonable cause as provided in subsection (f) of section 33 of said chapter 62C.

SECTION 2. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Municipal Police Support Trust Fund to be used, without appropriation, by the executive office of public safety and security for the purpose of funding veteran, reserve and in-service training programs conducted by the municipal police training committee under section 116 of chapter 6. One-third of the revenues received by the commonwealth pursuant to section 90A of this act shall be deposited into the trust fund; provided, the amount deposited is no more than \$10,000,000. All monies deposited into the fund shall be expended exclusively for the purpose set forth in this section. No expenditure from said fund shall cause said fund to be in deficiency at the close of a fiscal year.

SECTION 3. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Commonwealth Public Assistance Technological Innovation Trust Fund to be used, without appropriation, by the executive office of health and human services, in consultation with the department of transitional assistance and the office of Medicaid, for the purposes of investing in technological innovation relating to the distribution of and oversight over taxpayer funded public assistance. Fifty per cent of the monies within the fund shall be expended on expediting the implementation of the integrated eligibility system established pursuant to section 16 of chapter 6A and the establishment of an online payment system administered by the department of transitional assistance, pursuant to section 26A of chapter 18. The remaining 50 per cent of the monies shall be distributed as block grants for retail establishments to invest in the technological capacity to sort out items prohibited for purchase with electronic benefit transfer cards, or EBT cards, pursuant to sections 5I through 5J of chapter 18. For purposes of this section, a retail establishment shall be defined as any premises in which the business of selling services or tangible personal property is conducted, or, in or from which any retail sales are made, and employs no more than eight employees. One-third of the revenues received by the commonwealth pursuant to section 90A of this act shall be deposited into the trust fund; provided, the amount deposited is no more than \$10,000,000. All monies deposited into the fund shall be expended exclusively for the purposes set forth in this section. No expenditure from said fund shall cause said fund to be in deficiency at the close of a fiscal year.

SECTION 90D. Any remaining amount of revenues received by the commonwealth, pursuant to section 90A of this act, after amounts

made available in sections 90B and 90C of this act, shall be deposited into the General Fund.”

Mr. O’Day of West Boylston thereupon raised a point of order that the amendment offered by the gentleman from Whitman, was improperly before the House for the reason that it went beyond the scope of the pending bill.

Point of order.

In answer to the point of order, the Chair (Mrs. Haddad of Somerset) ruled that an examination of the amendment showed that it was in fact beyond the scope of the pending bill; and the amendment was laid aside accordingly.

Mr. Diehl thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Winslow of Norfolk.

The question was then put “Shall the decision of the Chair stand as the judgment of the House?”

After remarks the decision of the Chair was sustained.

After remarks on the question on passing the bill to be engrossed, Mr. Diehl of Whitman moved to amend it by adding the following two sections:

“SECTION 10. Section 12 of chapter 156C, as so appearing, is hereby amended by striking subsection (d) of paragraph (9) and inserting in place thereof the following:

The fee for the filing of the certificate of organization required by subsection (a) shall be waived for a first-time filing. The fee for the filing of the annual report required by subsection (c) shall be waived for any such limited liability company with five or fewer employees; or two hundred fifty dollars for any such limited liability company with greater than five employees. Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed.

SECTION 11. SECTION 1.22 of chapter 156D, as so appearing, is hereby amended by inserting the following section:—

Section 1.22(a) The fee for the filing the certificate of organization for S Corporations, as defined by USC Section 1361, shall be waived for a first-time filing.”

Mr. O’Day of West Boylston thereupon raised a point of order that the amendment offered by the gentleman from Whitman, was improperly before the House for the reason that it went beyond the scope of the pending bill. In answer to the point of order, the Chair (Mrs. Haddad of Somerset) ruled that an examination of the amendment showed that it was in fact beyond the scope of the pending bill; and the amendment was laid aside accordingly.

Point of order.

Mr. Diehl thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Lombardo of Billerica.

The question was then put “Shall the decision of the Chair stand as the judgment of the House?”

After debate on the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of Mr. Diehl of Whitman; and on the roll call 146 members voted in the affirmative and 11 in the negative.

Decision of Chair sustained,—yea and nay No. 225.

[See Yea and Nay No. 225 in Supplement.]

Therefore the decision of the Chair was sustained.

Mr. Diehl of Whitman then moved to amend the bill by adding the following section:

Computer and software services tax,—repeal.

“SECTION 10. Chapter 64A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, after section 7A, the following section:—

Section 7B. Any municipal or regional school district who shall buy any fuel on which an excise has been paid or is chargeable under this chapter is entitled to a refund of the state gasoline tax.”

Point of order.

Mr. O’Day of West Boylston thereupon raised a point of order that the amendment offered by the gentleman from Whitman, was improperly before the House for the reason that it went beyond the scope of the pending bill.

In answer to the point of order, the Chair (Mrs. Haddad of Somerset) ruled that an examination of the amendment showed that it was in fact beyond the scope of the pending bill; and the amendment was laid aside accordingly.

Mr. Diehl thereupon appealed from the decision of the Chair; and the appeal was seconded by Mr. Lombardo of Billerica.

The question was then put “Shall the decision of the Chair stand as the judgment of the House?”

Decision of Chair sustained,—yea and nay No. 226.

After remarks on the appeal from the decision of the Chair, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 145 members voted in the affirmative and 11 in the negative.

[See Yea and Nay No. 226 in Supplement.]

Therefore the decision of the Chair was sustained.

Representatives Cole of Peabody and O’Connell of Taunton then moved to amend the bill by adding the following section:

“SECTION 10. Notwithstanding any general or special law to the contrary, Section 5 of Chapter 59 is hereby amended by adding a clause thereto:—

Nineteenth A, Merchandise situated in Massachusetts, including inventory held for sale; finished goods; products, goods, wares or stock in trade; work in progress; materials or supplies, and archived or stored goods.”

Point of order.

Mr. O’Day of West Boylston thereupon raised a point of order that the amendment offered by the lady from Peabody, was improperly before the House for the reason that it went beyond the scope of the pending bill.

In answer to the point of order, the Chair (Mrs. Haddad of Somerset) ruled that an examination of the amendment showed that it was in fact beyond the scope of the pending bill; and the amendment was laid aside accordingly.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 156 members voted in the affirmative and 1 in the negative.

Bill passed to be engrossed,—yea and nay No. 227.

[See Yea and Nay No. 227 in Supplement.]

Therefore the bill was passed to be engrossed. The bill (House, No. 3662) then was sent to the Senate for concurrence.

Mr. Donato of Medford being in the Chair,—

Northampton,—land.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill transferring care and custody of a parcel of land in the city of Northampton (House, No. 2844), ought to pass with an

amendment by adding the following sentence: "If at any time the property ceases to be used for the purposes described in this section, ownership and control of the parcel shall revert to the division of capital asset management and maintenance.". Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (House, No. 2844, amended) was ordered to a third reading.

By the same member, for the same committee, that the Bill relative to the conveyance of an easement in the city of Northampton (House, No. 2845, changed), ought to pass with amendments in section 3, in line 7, by striking out the figures "38" (inserted by change) and inserting in place thereof the figures "37"; and in section 4, in line 38, by striking out the figures "30" and inserting in place thereof the figures "45". Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Northampton,—
easement.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendments recommended by the committee on Ways and Means then were adopted; and the bill (House, No. 2845, changed and amended) was ordered to a third reading.

By the same member, for the same committee, that the Bill authorizing the Division of Capital Asset Management and Maintenance to extend the time requirement in a certain section of a lease agreement on certain property owned by the Commonwealth of Massachusetts in the town of Tewksbury (House, No. 2858), ought to pass with an amendment by substituting therefor of a bill with the same title (House, No. 3663). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Tewksbury,—
land.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 3663) was ordered to a third reading.

By the same member, for the same committee, that the Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Belmont for recreation, public works or other municipal purposes (House, No. 2869, changed), ought to pass with amendment in section 1, in line 8, by inserting after the word "thirteen," the words "to the town of Belmont". Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Belmont,—
land.

Belmont,—
land.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (House, No. 2869, changed and amended) was ordered to a third reading.

Engrossed Bill.

Randolph,—
charter.

The engrossed Bill amending the charter for the town of Randolph (see House, No. 3439, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final, was put upon its final passage.

Rule 40
suspended.

Pending the question on passing the bill to be enacted, Mr. Timilty of Milton moved that Rule 40 be suspended; and the motion prevailed.

The same member then moved to amend the bill in section 1, in line 11, by inserting after the word "Randolph" the following: "pursuant to chapter 138 of the General Laws", in line 12, by striking out the word "only", and in lines 24 and 25, by striking out the following: "1 of whom shall be a resident" and inserting in place thereof the following: "3 of whom shall be residents".

The amendments were adopted. Sent to the Senate for concurrence.

Orders of the Day.

Third
reading
bill.

The Senate Bill establishing a sick leave bank for Marianne McVarish, an employee of the Department of Public Health (Senate, No. 1862), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Second
reading
bills.

The Senate Bill authorizing the town of Falmouth to borrow money for the repayment of certain indebtedness (Senate, No. 1802); and

House bills

Relative to the town manager in the town of Cohasset (House, No. 3486);

Relative to the town treasurer-collector in the town of Hingham (House, No. 3550);

Authorizing the town of Avon to establish a department of public works (House, No. 3576);

Amending the charter of the town of Harwich (House, No. 3577);

Relative to the inspector of plumbing and gas fitting in the town of South Hadley (House, No. 3578);

Relative to the establishment of a special capital fund in the town of Acushnet (House, No. 3592);

Relative to the grant of authority to the town of Marion (House, No. 3605); and

Authorizing the conveyance of a certain interest of land relative to Northampton and Williamsburg (House, No. 3619);

Severally were read a second time; and they were ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M. Next sitting.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at two minutes before five o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.